

**Minutes of the
North Carolina State Board of Education
Education Building
301 N. Wilmington Street
Raleigh, NC 27601-2825
May 1, 2013**

The North Carolina State Board of Education met after the Board Committees concluded their work and the following members were present:

William Cobey, Chairman	Olivia Oxendine
A.L. "Buddy" Collins, Vice Chairman	Marcella Savage
Dan Forest, Lt. Governor	John Tate
Gregory Alcorn	Rebecca Taylor
Kevin Howell	Patricia Willoughby
Wayne McDevitt	

Also present were:

June St. Clair Atkinson, State Superintendent	Patrice Faison, Principal of the Year Advisor
Wallace Nelson, Local Board Member Advisor	Darcy Grimes, Teacher of the Year Advisor
Diane Frost, Superintendent Advisor	

CALL TO ORDER AND INTRODUCTION

State Board of Education Chairman William Cobey called the Wednesday session of the May 2013 State Board of Education meeting to order and declared the Board in official session. Chairman Cobey explained that the Board has had a full day, beginning with an orientation and policy review session for all Board members this morning, and that the Board has just completed its Committee meetings for the day, and will hold the official State Board meeting on Thursday morning, at which time the Board will vote on action items.

In compliance with the requirements of Chapter 138A-15(e) of the State Government Ethics Act, Chairman Cobey reminded Board members of their duty to avoid conflicts of interest and appearances of conflicts of interest under Chapter 138A. He asked if members of the Board knew of any conflict of interest or any appearance of conflict with respect to any matters coming before them during this meeting. There were no conflicts of interest communicated at this time. The Chairman then requested that if, during the course of the meeting, members became aware of an actual or apparent conflict of interest that they bring the matter to the attention of the Chairman. It would then be their duty to abstain from participating in discussion and from voting on the matter.

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As a point of personal privilege, Chairman Cobey recognized the State Superintendent.

In response to Board member Oxendine's question earlier this morning about how teacher's reflect, Dr. Atkinson asked Teacher of the Year Darcy Grimes to share some comments. Ms. Grimes spoke briefly about how she reflects informally and formally in collaboration with her principal and other teachers. She explained that as the only third grade teacher in her school, she must step out of her box to reflect.

Closed Session

Chairman Cobey asked for a motion to convene in closed session.

Upon motion made by Mr. A. L. Collins and seconded by Mr. Wayne McDevitt, the Board voted unanimously to convene in closed session to consult with its attorneys on attorney-client privileged matters; and to consider the handling of the following cases: Hoke County et al. v. State and NC State Board of Education; NC Learns, Inc. v. NC State Board of Education; E.S. v. NC State Board of Education; and Arapahoe Charter School v. NC State Board of Education.

Following adjournment of the Closed Session, Chairman Cobey requested a motion to adjourn from Open Session.

Upon motion made by Ms. Rebecca Taylor, and seconded by Ms. Marcella Savage, the Board voted unanimously to recess the State Board of Education meeting until Thursday, May 2, at 9:00 a.m.

**Minutes of the
North Carolina State Board of Education
Education Building
301 N. Wilmington Street
Raleigh, NC 27601-2825
May 2, 2013**

The North Carolina State Board of Education met and the following members were present:

William Cobey, Chairman	Wayne McDevitt
A.L. “Buddy” Collins, Vice Chairman	Olivia Oxendine
Dan Forest, Lt. Governor	Marcella Savage
Janet Cowell, State Treasurer	John Tate
Gregory Alcorn	Rebecca Taylor
Kevin Howell	Patricia Willoughby
Reginald Kenan	

Also present were:

June St. Clair Atkinson, State Superintendent	Darcy Grimes, Teacher of the Year Advisor
Wallace Nelson, Local Board Member Advisor	Amberly Philips, Student Advisor
Diane Frost, Superintendent Advisor	Madison Bell, Student Advisor
Tyronna Hooker, Teacher of the Year Advisor	

CALL TO ORDER AND INTRODUCTION

State Board Chairman William Cobey called the Thursday session of the May State Board of Education meeting to order and declared the Board in official session. He welcomed onsite visitors, online listeners, and Twitter followers to the meeting, and reminded the audience that the Board held its committee meetings on Wednesday and today will vote on action items and receive reports on other topics.

In compliance with the requirements of Chapter 138A-15(e) of the State Government Ethics Act, Chairman Cobey reminded Board members of their duty to avoid conflicts of interest and appearances of conflicts of interest under Chapter 138A. He asked if members of the Board knew of any conflict of interest or any appearance of conflict with respect to any matters coming before them during this meeting. There were no conflicts of interest communicated at this time. The Chairman then requested that if, during the course of the meeting, members became aware of an actual or apparent conflict of interest that they bring the matter to the attention of the Chairman. It would then be their duty to abstain from participating in discussion and from voting on the matter.

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Board member Rebecca Taylor was recognized to lead the Board with the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Cobey asked for a motion to approve the minutes of the April 3-4, 2013, State Board of Education meetings.

Discussion/Comments:

- There was no discussion.

Mr. John Tate made a motion to approve the minutes of the April 3-4, 2013, State Board of Education meetings. Seconded by Ms. Rebecca Taylor, the Board voted unanimously to approve the minutes as presented.

SPECIAL RECOGNITION

- **Guilford County Schools – 2013 North Carolina School District of Character Award Winner and 2013 National School District of Character Finalist**

Mr. Maurice “Mo” Greene (Superintendent), Ms. Beth Folger (Chief Academic Officer), Ms. Gwen Willis (Chief Student Services Officer), Ms. Brenda Elliott (Student Services and Character Development Executive Director), Ms. Yvonne Foster (Character Development and Service Learning Coordinator) and Ms. Nancy Routh (Guilford County Board of Education Member)

State Board Chairman William Cobey explained that Guilford County Schools is one of North Carolina’s largest public school systems serving more than 72,000 students, representing 95 countries and speaking 117 languages and dialects.

Chairman Cobey was pleased to announce that Guilford County Schools, under the leadership of Superintendent Maurice Greene, has recently been named by the Department of Public Instruction’s Social Studies Division as the 2013 North Carolina School District of Character Award winner.

The Chairman stated that since that honor, Guilford County Schools has been named a national finalist for the National District of Character award. The national distinction is awarded by the Character Education Partnership in Washington, D.C. Guilford County is one of only four school districts in the nation to be named a national finalist. The national school district winner will be named this month.

Superintendent Greene and staff members were invited forward to receive a plaque from the State Board recognizing the Guilford County Schools for being named the 2013 North Carolina School District of Character Award Winner. The presentation was photographed.

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➤ **North Carolina Online Teacher of the Year - 2013**
Ms. Jennifer Currin (NC Virtual Public School Teacher, Wilmington, NC)

Chairman Cobey congratulated Ms. Currin for being named the 2013 North Carolina Online Teacher of the Year. He shared that Ms. Currin has worked as an online English teacher with the North Carolina Virtual Public Schools (NCVPS) for three years and has been a teacher since 2003.

The Chairman noted that Ms. Currin differentiates instruction to help special needs students with disabilities complete the same curriculum as regular education students.

Ms. Currin was also one of the three finalists for the National Online Teacher of the Year. The recognition is organized by the Southern Regional Education Board and the International Association for K-12 Online Learning.

Ms. Currin was invited forward to receive a plaque in recognition of being named the North Carolina 2013 Online Teacher of the Year. The presentation was photographed.

➤ **Outgoing High School Senior Student Advisor to the North Carolina State Board of Education**
Ms. Amberly Phillips (North Johnston High School, Johnston County Schools)

Chairman Cobey expressed appreciation to Ms. Amberly Phillips for her contributions to the Board meetings in her capacity as senior student advisor. He shared that Ms. Phillips' academic achievements have her graduating among the top students in her class at North Johnson High School and she will be attending North Carolina State University in the fall.

Ms. Phillips was presented with a plaque in recognition of her service to the State Board of Education. The presentation was photographed.

KEY INITIATIVES REPORTS AND DISCUSSION

➤ **Race to the Top (RttT) Update – Mr. Adam Levinson (Director, Race to the Top Program)**

Mr. Levinson prefaced his report by reminding Board members that the Department hosted the U.S. Department of Education (USED) for its annual site visit to monitor North Carolina's progress for Year 3 on April 15-16. Therefore, the usual Monthly Detailed Report was not required of the Department. He shared that the Department had good conversations with the USED representatives and feel confident that they believe NC is on track and meeting our goals with high quality. Mr. Levinson stated that within a month the Department should have a detailed report from USED detailing their opinions about our progress, which will be shared with the State Board.

Mr. Levinson spoke briefly about the Department's communication efforts, which have included gathering stakeholder feedback and using it to adjust implementation plans, as needed. He noted that the Board had heard about some of these efforts, specifically those related to the annual Professional Development Cycle during the Board's RttT Orientation Session on Wednesday. He stated that this cycle runs year round and kicks off with the Summer Institute. Currently, the professional development

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team has been hosting statewide webinars for local leadership teams to prepare them for the Summer Institutes and to get feedback about whether the Institutes will meet the needs of the practitioners. This will allow staff to make final adjustments for the Institutes.

Mr. Levinson encouraged Board members to contact him if there is a particular topic that they would like him to cover more in-depth during these monthly updates.

STATE SUPERINTENDENT’S REPORT

First Teacher of the Year Summit

On Friday, April 12, 2013, more than 140 teachers of the year representing more than 90 school districts across North Carolina attended the first Teacher of the Year Summit.

The theme of the Summit, "This is What We Believe" gave the teachers an opportunity to share their thoughts and beliefs about being a public school teacher. The beliefs will be reproduced in a variety of creative formats.

Co-chairs of the Summit, Ms. Darcy Grimes (NC Teacher of the Year 2012-13) and Ms. Tyronna Hooker (NC Teacher of the Year 2011-12) assisted with the planning and execution of the entire Summit.

The teachers attended three different break-out sessions, including the following topics from which they could choose:

- Teachers as Leaders.....Yes, Really!
- Connecting with Global Education
- Stress Management-Finding the Balance
- Digital Learning Technology
- Motivating the Unmotivated

These sessions were facilitated by professional staff from Teacher Effectiveness and Healthy Schools.

Ms. Cindi Rigsbee (North Carolina Teacher of the Year, 2008-09) delivered a keynote address at lunch.

Principal and Teacher Advisory Councils Meet

Teacher agenda items:

- review draft “This WE Believe” statements
- further refine statements
- discuss next steps after Teacher of the Year Summit

Principal agenda items:

- discuss Home Base/Power School
- consider scenarios for scheduling common exams

Local Superintendents Gather in Four Small-Group Meetings

The Department of Public Instruction convened local superintendents for small-group meetings in Washington, NC (April 24), Durham (April 25), Morganton (April 26), and Hamlet (April 30).

Discussion topics included:

- pending legislation
- future plans for the NC Virtual Public School
- questions and answers about the Home Base funding model
- reporting of data for the teacher effectiveness model

Chocowinity Middle School Principal Tabbed as Principal of the Year

Chocowinity Middle School Principal Dale Cole was named North Carolina's 2013 Wells Fargo Principal of the Year at a luncheon event in Cary April 4.

In naming the Beaufort County educator, Wells Fargo Carolinas Community Affairs Manager Juan Austin said, "Chocowinity Middle School's performance is the best indication of the strength of Dale Cole's leadership, and that performance has been exceptional. Cole's work ethic, enthusiasm and caring personality have been keys to his success as a principal. He will make an excellent ambassador for effective administration in public education."

Cole also was lauded for his strong understanding of the curriculum, effective teaching practices and the importance of collaboration. Cole received a Bachelor of Science in English from East Carolina University in 1995, and a Master of Science in School Administration also from East Carolina University in 2007. During his educational career, he has served as a high school English teacher and football and baseball coach, a high school assistant principal, and a middle school principal. While an assistant principal, he implemented one of the first Positive Behavior Intervention & Support (PBIS) programs at the high school level in the state. He also supervised the creation of a 9th grade academy where he created the first Professional Learning Community for the 9th grade academy teachers.

Give-Five Read Five Campaign

This summer's Give Five – Read Five campaign to combat summer learning loss was announced on April 23.

Research done at Harvard has shown that students who read just five books over summer vacation have a better chance of holding on to these skills so the program's goal is to make sure all elementary students leave on the last day of school with books in their hands.

As a part of the "Give Five – Read Five" campaign, the Department of Public Instruction staff have developed letters, fliers, summer reading tips sheets and other resources that parents, educators and others can use to help spread the word about the campaign

These tools are available at www.ncpublicschools.org/give5read5. The N.C. Business Committee for Education, Communities in Schools of N.C., the North Carolina and Western North Carolina Conferences of the United Methodist Church and MetaMetrics® also have agreed to help spread the

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word about the campaign and encourage members to donate books to this effort. Books will be collected and distributed at the school or district levels.

Dr. Malbert Smith, III, co-founder and president of MetaMetrics, announced at the press conference that his company has made the first "Give Five – Read Five" donation. Smith presented 300 books to Hilburn Academy Principal Gregory Ford. MetaMetrics developed the Lexile® Framework for Reading to assess both a student's reading ability and the text difficulty in books, magazines and newspapers.

In North Carolina, students in grades 3-8, as well as high school students taking the English I assessment, receive a Lexile measure on their end-of-grade or end-of-course test reports.

Providing a Lesson on Financial Literacy

Dr. Atkinson spoke at the National Conference for Economic Education on North Carolina's approach to financial literacy. This includes ensuring that all students learn about the concepts of banking, savings, investments, and risk. She explained that General Statutes require that North Carolina teach financial literacy and the financial literacy concepts are imbedded in the entire curriculum with a special focus in Civics and Economics as well as elective courses such as Financial Literacy Introduction to Business. A partner in this initiative is our State Treasurer Janet Cowell. The Superintendent shared a short video that was produced by an elementary student at Fuquay Elementary School, which focuses on the concept of supply and demand.

Recent Activities of the State Superintendent

☐ Attended and/or delivered remarks/keynote address at

- NCAE Spring Conference, Raleigh
- Master's Program for Principals, East Carolina University, Greenville
- DPI Quarterly Management Meeting, Raleigh
- Council for Economic Education Conference, Washington, DC
- Northeast Beginning Teachers Conference, Morehead City
- Chamber Women's Business Network, Smithfield
- Northeast Leadership Academy Cohort 3, Raleigh
- A Healthier North Carolina Press Conference, Raleigh
- NC Agricultural Products Dinner, Raleigh
- Women in Technology Remarks, ITT Technical Institute, Durham
- Orthogonal Medal Guest Lecture, NC State University, Raleigh
- Johnston County Principals' Association, Smithfield
- School Safety Forum, Fayetteville

RttT Monthly Highlights of Activities Completed

U.S. Department of Education Conducts Site Visits Week of April 15

The U.S. Department of Education (USED) visited DPI for the annual RttT review Monday and Tuesday, April 15 and 16.

During the remainder of the week, USED visited Wake County Public Schools, Greene County Public Schools, and Maureen Joy Charter School for the district portion of the annual RttT site visit.

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Administrative Procedure Act – SBE Rulemaking

In response to a request from the Board to provide a briefing about the Administrative Procedure Act (APA), Superintendent Atkinson recognized Ms. Katie Cornetto (Staff Attorney/Rulemaking Coordinator) to provide an overview of the APA/SBE rulemaking process.

Using a PowerPoint presentation, Ms. Cornetto shared that the State Board has an elaborate policy adoption process involving stakeholders from across the state to garner input to inform policy decisions. Ms. Cornetto spoke specifically about policy formation, i.e., what the law requires, input from stakeholders, staff recommendations, and State Board initiated policies.

Ms. Cornetto shared that the informal definition of a rule is any policy that has mandatory effect outside the building. She delineated that internal operational policies do not have to go through rulemaking. She explained further that any proposed rule must go through the rulemaking process under Chapter 150B of the General Statutes.

Ms. Cornetto shared that State Superintendent Atkinson has met with Chief Judge Julian Mann who presides over the Office of Administrative Hearings, under which the Rules Review Commission sits. She publicly thanked Dr. Atkinson for making this issue a priority.

Ms. Cornetto provided a case-in-point example using the NC General Assembly's Read to Achieve Program where the legislation requires this program to be implemented by fall 2013. She used a PowerPoint graph to show the timeline as an example of the Rulemaking Process. After a brief clarifying discussion, Dr. Atkinson shared that it is difficult to implement laws that have been passed and not be able to meet all of the requirements of the APA process. Therefore, it is important for the Board to understand that currently under state statutes, the Department is required to go through this process. The Department has unsuccessfully tried to change this requirement for the last four legislative sessions. Ms. Cornetto reiterated that the Rulemaking Process makes it difficult to meet legislative mandates. She noted that universities and Community Colleges are exempt by statute from the Rulemaking process and local boards of education are not subject to rulemaking although they do their own policy adoption. A clarifying discussion occurred using the Read to Achieve Program as an example where the General Assembly passed the law, which requires implementation for the 2013-14 school year, and yet the Department is also required to adhere to the statute from the General Assembly about Rulemaking, which takes 180 days to complete. Ms. Cornetto stated that staff is prepared to implement the Read to Achieve Program in the fall of 2013 although the rule will not have gone through the process.

Chairman Cobey stated that from the standpoint of efficiency and effectiveness, it would be good if the General Assembly would exempt the Department from Rulemaking; a middle ground would be that the exemption could occur in the legislation in order for the Department to meet legislative timelines.

Legislative Update

Superintendent Atkinson recognized Ms. Rachel Beaulieu (Legislative Director) to provide the legislative update.

Ms. Beaulieu highlighted the following list of recent activity of education-related legislation. She drew attention to a one-page handout, which is also posted on the State Board website. Ms. Beaulieu spoke briefly

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and fielded questions about the bills listed below. Conversation focused on SB 361 specifically the Grading System (A-F) and its consequences for schools, communities and especially the students. In addition, discussion occurred about SB 337, i.e., the governance feature of the bill. Chairman Cobey publicly noted that he believes that the governance piece of SB 337 is unconstitutional and is working with legislators on this issue. The Chairman stated that he prefers a more informal voice rather than a formal one in the way of a position statement about legislative bills directly affecting education. Lt. Governor Forest encouraged Board members to provide feedback to legislators regarding legislation that impacts schools. Ms. Beaulieu stated that if the Board decides to take a formal position on any given bill to let her know.

Key Education Bills

SB 10 – Government Reorganization and Efficiency Act (Apodaca, Hunt, Rabon)
 SB 337 – (HB 443) NC Charter School Board (Tillman, Soucek)
 SB 361 – Excellent Public Schools Act of 2013 (Berger, Tillman, Soucek)
 HB 719 – Education Improvement Act of 2013 (Holloway, Glazier, Blackwell, L. Hall)
 HB 831 – Education Services for Children in PRTFs (Avila, Johnson, Glazier)
 SB 944 – Opportunity Scholarship Act (Bryan, B. Brown, Brandon, Hanes)
 HB 452 – (SB 589) 2013 School Safety Act (Holloway, Glazier, Faircloth, Lucas)

BOARD MEETING AND COMMITTEE CHAIR REPORTS

INFORMATION AGENDA

TWENTY-FIRST CENTURY SYSTEMS BUSINESS/FINANCE AND ADVOCACY COMMITTEE (Mr. Gregory Alcorn, Chair; Mr. Kevin Howell, Chair)

INFORMATION

TCS 4 – Strategies for Compensating North Carolina’s Teachers

Policy Implications: N/A

Presenter(s): Ms. Magan Bell (Sanford School of Public Policy, Duke University), Mr. Danny Heller, Sanford School of Public Policy, Duke University), Ms. Sarah Shah (Sanford School of Public Policy, Duke University) and Mr. Lucas Westmaas (Sanford School of Public Policy, Duke University)

Description:

This presentation will provide recommendations on how North Carolina can best revise its teacher salary schedule to promote a high-quality teacher workforce, especially in low-performing schools.

This presentation, and the attached report, is a culmination of a semester-long project, completed by a team of four graduate students for a course in the Masters of Public Policy Program at the Sanford School of Public Policy at Duke University. The group worked with the Department of Public Instruction (DPI) to define the policy question and scope of the research. The team selected this topic to address the current dialogue in the state around unfreezing the teacher salary schedule and compensating North Carolina’s teachers fairly.

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Recommendations:

N/A

Discussion/Comments:

- TCS Committee Chair Gregory Alcorn recognized the Duke Sanford School of Public Policy graduate students to present their strategies for compensating North Carolina's teachers.
- The research was conducted by Ms. Magan Bell, Mr. Danny Heller, Ms. Sarah Shah and Mr. Lucas Westmaas. The policy question was: How can North Carolina best revise its teacher salary schedule to promote a high-quality teacher workforce, especially in low-performing schools?
- Using a PowerPoint presentation, the interns explained how they conducted their research and analysis, and provided their recommendations, criteria, challenges, policy alternatives, core recommendations and supplemental alternatives. The report, in its entirety, is posted on the eBoard for review.
- Chairman Cobey thanked the interns for their work on this research and for their recommendations about this important issue. He noted that their research was insightful and informative and wished the interns the best in their future endeavors.
- There was no further discussion.

This item is presented for information only. (See Attachment TCS 4)

CONSENT AGENDA

Chairman Cobey moved to the Consent Agenda which is reserved for items that generally create little or no debate such as routine appointments, items that come for information purposes only, routine reports, and final approval of reports that the Board has already discussed. Board members have always seen these materials prior to the Board meetings, and may ask that items be removed from the Consent agenda to be discussed on an individual basis. Consent items will be adopted as a whole.

Chairman Cobey noted three items for consideration on the consent agenda. He asked if any Board members wanted to remove any item from the Consent Agenda. Hearing no requests, Chairman Cobey asked for a motion to approve TCS 5 – North Carolina Virtual Public School Advisory Board Membership; TCP 4 – Educator Effectiveness Policies for School Year 2012-13; and LFI 2 – Charter Amendments for Greensboro Academy.

Prior to voting on this item, Board member Oxendine thanked staff members for meeting with the UNC-Pembroke MSA student interns (principals and aspiring principals) in April to talk from the perspective of what principals need to know about Race to the Top, the New Diploma Endorsements, Recommendations from the High School Mathematics Task Force, Education Policy to Classroom Practice, etc.

Upon motion by Mr. Wayne McDevitt, and seconded by Mr. Kevin Howell, the Board voted unanimously to approve TCS 5 – North Carolina Virtual Public School Advisory Board Membership; TCP 4 – Educator Effectiveness Policies for School Year 2012-13; and LFI 3 – Charter Amendments for Greensboro Academy, as presented.

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**TWENTY-FIRST CENTURY SYSTEMS
BUSINESS/FINANCE AND ADVOCACY COMMITTEE
(Mr. Gregory Alcorn, Chair; Mr. Kevin Howell, Chair)**

CONSENT

TCS 5 – North Carolina Virtual Public School (NCVPS) Advisory Board Membership

Policy Implications: SBE Policy # TCS-B-002

Presenter(s): Dr. Tracy Weeks (Executive Director, NC Virtual Public School)

Description:

Article III (d) of the North Carolina virtual Public School (NCVPS) Advisory Board by-laws states that new board members will be nominated by the current board members or NCVPS representatives then presented to the State Board of Education (SBE) for approval, and Article II (a) of the North Carolina Virtual Public School Advisory Board by-laws states that the North Carolina SBE shall approve nominations for members of the NCVPS Advisory Board.

Recommendations:

The State Board of Education is asked to approve the nomination for Mr. Timothy Rogers for new membership to the North Carolina Virtual Public School Advisory Board.

**21ST CENTURY PROFESSIONALS COMMITTEE
(Dr. Olivia Oxendine, Chair; Mr. John Tate, Vice Chair)**

CONSENT

TCP 4 – Educator Effectiveness Policies for School Year 2012-13

Policy Implications: SBE Policy # TCP-C-006; APA # 16 NCAC 61.0504

Presenter(s): Dr. Rebecca Garland (Chief Academic Officer, Academic Services and Instructional Support), Dr. Lynne Johnson (Director of Educator Effectiveness Division, Academic Services and Instructional Support), and Ms. Jennifer Preston (Race to the Top Project Coordinator for Educator Effectiveness, Academic Services and Instructional Support)

Description:

In March 2012, the State Board of Education approved the components of the sixth standard of the North Carolina Teacher Evaluation System and the eighth standard of the North Carolina School Executive Evaluation System for school year 2011-12. The sixth and eighth standard ratings for school year 2011-12 are baseline data only; they are not included in the three years of data required for a teacher or school executive to receive an overall status of “in need of improvement, effective, or highly effective.”

Based on data analysis of 2011-12 sixth and eighth standard ratings and feedback from educators, the Department of Public Instruction recommends the following adjustments to the sixth and eighth standard components for school year 2012-13:

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- **Sixth standard based only on individual teacher’s students’ growth.** During school year 2011-12, the inclusion of school-wide growth lowered the sixth standard ratings of thousands of high-performing teachers working in low-performing schools. To avoid this unintended consequence and remove policy barriers to the movement of highly effective teachers to low-performing schools, the Department of Public Instruction recommends that the sixth standard for school year 2012-13 is based only on the growth value derived from the students for whose growth a teacher is directly responsible.
- **School-wide growth value used for principals to include all available student growth data.** During school year 2011-12, the school-wide growth value used to determine a school executive’s eighth standard rating was based only on results of the End-of-Grade and End-of-Course assessments. School executives have requested that the Career and Technical Education Post-Assessments and Measures of Student Learning be included in the calculation of school-wide growth so that the value is more reflective of student learning across all grades and content areas.

The Department of Public Instruction originally presented this item for discussion at the March 2013 State Board of Education meeting. Given the complexity of this policy area, the State Board of Education continued its discussion at the April 2013 meeting.

Recommendations:

The State Board of Education approves the recommended components for the sixth and eighth standards of the North Carolina Teacher Evaluation System and North Carolina School Executive Evaluation System, respectively.

LEADERSHIP AND INNOVATION COMMITTEE (Ms. Rebecca Taylor, Chair; Mr. Wayne McDevitt, Vice Chair)

CONSENT

LFI 2 – Charter Amendments for Greensboro Academy

Policy Implications: General Statute § 115C-238.29G; SBE Policy # TCS-U-014

Presenter(s): Mr. Philip Price (Chief Financial Officer, Financial and Business Services) and Dr. Joel Medley (Director, Office of Charter Schools)

Description:

The Charter Schools Act states: "a material revision of the provisions of a charter application shall be made only upon the approval of the State Board of Education." In April 2012, the State Board adopted policy TCS-U-014 prescribing which charter amendments can be approved by the Office of Charter Schools, and which ones must be approved by the State Board prior to implementation. An amendment that alters the “mission or targeted student population” is one that must receive State Board approval.

Greensboro Academy is seeking to refresh its original mission statement from 1999. The mission retains its goal to instill “a deep sense of individual responsibility and an appreciation for the dignity of work.” However, instead of focusing on mastery of the academic basics, the school wishes “to challenge students to reach their highest potential in academic excellence and moral character” by fostering more “cooperation with parents and the community.”

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Recommendations:

The Office of Charter Schools recommends that the State Board of Education approve this charter amendment.

ACTION AND DISCUSSION AGENDA

GLOBALLY COMPETITIVE STUDENTS COMMITTEE
(Ms. Marcella Savage, Chair; Ms. Rebecca Taylor, Vice Chair)

ACTION

GCS 1 – Criteria for Endorsements to High School Diplomas

Policy Implications: Session Law 2013-1; SBE Policy # GCS-L-003; GCS-L-007

Presenter(s): Dr. Angela H. Quick (Deputy Chief Academic Officer, Academic Services and Instructional Support) and Ms. Jo Anne Honeycutt (Director, Career and Technical Education)

Description:

Recently passed Senate Bill 14 requires the State Board of Education to establish, implement, and determine the impact of adding college, career, and college and career endorsements to high school diplomas. The endorsements should reflect that area of focus of high school graduates and must consider courses completed, overall grade point average, and other criteria that the State Board may choose.

Recommendations:

State Board of Education members are asked to approve the proposed new policy and endorsements.

Discussion/Comments:

- There was no discussion.

Upon motion by Ms. Marcella Savage, and seconded by Mr. Wayne McDevitt, the State Board of Education voted unanimously to approve the proposed new policy and endorsements, as presented. (See Attachment GCS 1)

ACTION ON FIRST READING

GCS 2 – Race to the Top Career Readiness and College Course Completion Performance Measures

Policy Implications: Race to the Top Goals and Measures

Presenter(s): Mr. Adam Levinson (Director, Race to the Top Program, Office of the State Superintendent) and Dr. Angela Quick (Deputy Chief Academic Officer, Academic Services and Instructional Support)

Description:

North Carolina needs to add to page 1 of its State Race to the Top (RttT) Detailed Scope of Work (DSW) the following Career Readiness and College Course Completion performance measures:

- 1) Career Readiness: The State Board has adopted WorkKeys, along with the ACT, as the primary state measures of Career and College Readiness, respectively, for use in the state's school accountability model. The Board has already updated the NC RttT goals and measures to incorporate ACT and used data from 2011-12 statewide implementation to set a baseline and targets for that measure. The current proposal suggests that the Board now similarly add WorkKeys as a goal and use data from 2011-12 to establish a baseline and appropriate targets for future years. The baseline statewide composite score (defined as the percentage of CTE graduates who achieve a Silver certificate or better) is 54.5 and the proposed targets are 54.6 for 2012-13 and 54.7 for 2013-14. Baseline and targets for each USED-defined subgroup are also proposed (See attachment 1).
- 2) College Course Completion: College Course Completion is another indicator of college readiness. The USED definition of "college course completion" is "the number of students who graduate from high school who enroll in a public Institution of Higher Education (IHE) in the state within 16 months of receiving a regular high school diploma, and who complete at least one year's worth of college credit (applicable to a degree) within two years of enrollment in the IHE." As a result of data quality challenges associated with sharing data across education sectors in North Carolina, the state has only recently been able to produce a reliable figure for the USED-defined "college course completion" measure. In the absence of this reliable figure, NCDPI had been reluctant to set a target for this measure. Now that a baseline figure is available, we will establish the actual figures for 2011-12 (59%), and propose targets of 61% for 2012-13 and 63% for 2013-14.

Recommendations:

The State Board of Education is asked to approve this action.

Discussion/Comments:

- There was no discussion.

Upon motion by Ms. Marcella Savage, and seconded by State Treasurer Janet Cowell, the State Board of Education voted unanimously to approve the proposed amendment to the State Race to the Top (RttT) Detailed Scope of Work as presented (See Attachment GCS 2)

21ST CENTURY PROFESSIONALS COMMITTEE (Dr. Olivia Oxendine, Chair; Mr. John Tate, Vice Chair)

ACTION

TCP 1 – Proposed Remodel of the Superintendent Program Approval Process

Policy Implications: SBE Policy # TCP-B-002

Presenter(s): Dr. Rebecca Garland (Chief Academic Officer, Academic Services and Instructional Support), Dr. Lynne Johnson (Director, Educator Effectiveness Division, Academic Services and Instructional Support), and Dr. Rachel McBroom (Director, Educator Preparation, Academic Services and Instructional Support)

Description:

In January 2008, the State Board of Education approved a new program approval process. This process focuses on outcomes, rather than inputs, eliminates barriers and obstacles that do not ensure quality, and allows greater institutional flexibility based on increased rigor and accountability.

Educator preparation programs leading to teacher and school executive licensure have completed the process and are aligned with State Board adopted professional standards and evaluation instruments. The proposed remodeling of educator preparation programs leading to superintendent licensure will align these programs with the North Carolina standards for superintendents and evaluation rubric.

Recommendations:

The State Board of Education is asked to approve the program approval process.

Discussion/Comments:

- TCP Committee Chair Olivia noted a thorough discussion of this item during the TCP Committee meeting on Wednesday.
- There was no further discussion.

<p>Upon motion by <u>Dr. Olivia Oxendine</u>, and seconded by <u>Mr. John Tate</u>, the State Board of Education voted unanimously to approve the superintendent program approval process, as presented. (See Attachment TCP 1)</p>

DISCUSSION

TCP 2 – Proposed Standards, Rubrics and Users Guides for the Evaluation of Allied Health Service Professionals

Policy Implications: Endorsement

Presenter(s): Dr. Rebecca Garland (Chief Academic Officer, Academic Services and Instructional Support), Dr. Lynne Johnson (Director, Educator Effectiveness Division, Academic Services and Instructional Support), and Dr. Jean Williams (President, Research and Evaluation Associates)

Description:

In January 2007, the State Board of Education approved new professional standards for the evaluation of teachers. Standards, rubrics and users guides have been developed for school nurses, occupational therapists and physical therapists by Research and Evaluation Associates. School practitioners, NCDPI staff and higher education representatives worked collaboratively to develop these instruments.

Recommendations:

The State Board of Education is asked to endorse the proposed documents.

Discussion/Comments:

- TCP Committee Chair Olivia Oxendine noted a thorough discussion of this item during the TCP Committee meeting on Wednesday. After a brief clarifying discussion, Dr. Oxendine stated that the TCP Committee plans to endorse this item in June.
- There was no further discussion.

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This item is presented for Discussion in May and will return for Action at the June 2013 meeting. (See Attachment TCP 2)

DISCUSSION

TCP 3 – Career and Technical Education Licensure Requirements

Policy Implications: SBE Policy # TCP-A-001

Presenter(s): Dr. Rebecca Garland (Chief Academic Officer, Academic Services and Instructional Support), Ms. Jo Anne Honeycutt (Director, Career and Technical Education) and Ms. Carol Short (Section Chief, Curriculum Career and Technical Education)

Description:

In October, the North Carolina State Board of Education approved changes to the NC Career and Technical Education Essential Standards, which will be effective with the 2013-14 school year. The changes in the Essential Standards as well as the passage of Senate Bill 14, necessitated changes to Career and Technical Education teacher licensure.

Recommendations:

It is recommended that the NC State Board of Education approve the revisions to CTE Licensure.

Discussion/Comments:

- TCP Committee Chair Olivia Oxendine noted a thorough discussion of this item during the TCP Committee meeting on Wednesday.
- There was no further discussion.

This item is presented for Discussion in May and will return for Action at the June 2013 meeting. (See Attachment TCP 3)

NEW BUSINESS

Under New Business, TCP Committee Chair Olivia Oxendine shared that the TCP Committee received a presentation about Educator Effectiveness: Resources/Inter-Rater Reliability Training. Next steps will be discussed during the TCP Committee meeting in June.

TWENTY-FIRST CENTURY SYSTEMS BUSINESS/FINANCE AND ADVOCACY COMMITTEE (Mr. Gregory Alcorn, Chair; Mr. Kevin Howell, Chair)

ACTION

TCS 1 – Council on Educational Services for Exceptional Children

Policy Implications: General Statute § 115C-121.1; SBE Policy # TCS-B-005; Section 300.167-300.169 of federal regulations under Individuals with Disabilities Education Act (IDEA)

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Presenter(s): Dr. Angela Quick (Deputy Chief Academic Officer, Curriculum, Instruction, Technology, and Accountability Services) and Mrs. Sherry H. Thomas (Interim Director, Exceptional Children Division)

Description:

The Council is established in federal and state law as an Advisory Council to the State Board of Education. Its establishment is set forth in Section 300.167-300.169 of the federal regulations, Section 1412(a)(21) of the Individuals with Disabilities Education Act (IDEA 2004) and Section 115C-121.1 of North Carolina General Statutes. The Council advises the State Board of Education on unmet needs within the state in the education of children with disabilities.

Legislation requires that the majority of the members of the Council must be individuals with disabilities or parents of children with disabilities. The Council shall represent the various interests of the groups concerned with the education of children with disabilities, including gender, ethnic diversity, and representation from across the state.

In accordance with State Board of Education policy, the Council has 25 appointed members. Two members are appointed by the Governor, two by the President Pro Tempore of the Senate, two by the Speaker of the House, fourteen by the State Board of Education, and five members referred to as state agency representatives are designated by federal regulations. Terms for state agency members are governed by virtue of their position. The term of appointments for all members except those appointed by the State Board of Education is for two years. State Board of Education appointments are for four-year terms with no person serving more than two consecutive four-year terms.

There are currently two vacant appointments:

- 1) There is a vacant appointment that represents Charter Schools. The vacancy is due to the expiration of the term limit. Ms. Susan Humbert is in agreement to serve a second four-year term to represent Charter Schools. The State Board is asked to approve Ms. Humbert serving a second four-year term representing Charter Schools.
- 2) There are two vacancies to represent parent of a child(ren) with disabilities. Ms. Ann Maxwell is in agreement to serve a second four-year term to fill one of the vacancies to represent parents of children with disabilities. The State Board of Education is asked to approve Ms. Maxwell serving a second four-year term representing parent of a child(ren) with disabilities.
- 3) The State Board of Education is asked to submit an appointment recommendation for the second vacant position of a parent of a child(ren) with disabilities. Currently, District 7 is not represented on the Council, and the Council is seeking greater gender and race diversity.

The federal regulations require membership to include an official who carries out activities under the McKinney-Vento Homeless Assistance Act. Ms. Lisa Phillips is that representation. She stands ready to serve a second four-year term.

There are four legislative appointments with a term expiration of June 30, 2013. The Exceptional Children Division is seeking replacements from the Senate and House of Representatives through the appropriate legislative office.

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Recommendations:

The State Board of Education is asked to approve a second four-year term of Ms. Susan Humbert (appointment term 7/01/13-6/30/17) and submit an appointment recommendation to fill the vacant position of a parent of a child(ren) with disabilities. The appointment term for this position is until June 30, 2016; subject to future renewal.

The State Board of Education is asked to discuss and possibly approve of Ms. Ann Maxwell (appointment term 7/1/13 – 6/30/17) serving a second four-year term to represent parent of a child(ren) with disabilities. The State Board of Education is also asked to discuss and possibly approve of Ms. Lisa Philips (appointment 7/1/13 – 6/30/17) to a second four-year term as representation for the McKinney Vento Homeless Assistance Act.

Discussion/Comments:

- There was no discussion.

Upon motion by Mr. Gregory Alcorn, and seconded by Ms. Patricia Willoughby, the State Board of Education voted unanimously to approve the policy appointments to the Council on Education Services for Exceptional Children, as presented. (See Attachment TCS 1)

ACTION ON FIRST READING

TCS 2 – Approval of Grant – Fresh Fruit and Vegetable Program Awarded to North Carolina Department of Public Instruction (NCDPI) from United States Department of Agriculture (USDA)

Policy Implications: SBE Policy # TCS-O-001

Presenter(s): Mr. Philip Price (Chief Financial Officer, Financial Business, and Technology Services) Dr. Ben Matthews (Director, School Support Division) and Ms. Lynn Harvey (Section Chief, Child Nutrition Services, School Support Division)

Description:

The grant listed below is being submitted for approval. Please see attachment for description of grant.

- Attachment 1 – Fresh Fruit and Vegetable Program Awarded to North Carolina Department of Public Instruction (NCDPI) from United States Department of Agriculture (USDA)

Recommendations:

It is recommended that the State Board of Education approve this grant.

Discussion/Comments:

- TCS Committee Gregory Alcorn noted a thorough discussion of this item during the TCS Committee meeting on Wednesday.
- There was no further discussion.

Upon motion by Mr. Gregory Alcorn, and seconded by Ms. Rebecca Taylor, the State Board of Education voted unanimously to approve the Fresh Fruit and Vegetable Program grant awards, as presented. (See Attachment TCS 2)

MOVED FROM DISCUSSION TO ACTION ON FIRST READING

TCS 3 – Appeal Under Extraordinary Circumstance Provision for Low-Wealth Supplemental Funding

Policy Implications: Session Law 2011-145, Section 7.4(g); SBE Policy # TCS-M-003

Presenter(s): Mr. Philip Price (Chief Financial Officer, Financial, Business and Technology Services) and Ms. Alexis Schauss (Director, School Business Division)

Description:

Low-Wealth Supplemental funding is provided to local education agencies (LEAs) that are located in counties in which the calculated wealth, per the legislated formula, is less than 100% of the state average. The funds are to provide supplemental funds to counties that do not have the ability to generate revenue to support public schools at the state average level. In 2012-13, 78 of the 115 LEAs were eligible to receive a portion of the \$227 million allotment, ranging from \$20.41 per student to \$737.85 per student.

Per Session Law 2011-145 Section 7.4(g) Low-Wealth funds are to supplement and counties shall not supplant local current expense funds, thereby they may not use low-wealth funds in place of local current appropriations. The county has supplanted if the current expense appropriation per student of the county for the current year is less than 95% of the average of the local current expense appropriations per student for the three prior fiscal years.

If the amount is less than 95%, the county may:

1. Remedy the deficiency by providing the adequate funding to the local education agency.
2. Appeal to the State Board of Education that extraordinary circumstances caused the county to supplant local current expense funds.

Four LEAs were notified in March of 2013 that they have supplanted low-wealth funds.

- Halifax, and Hoke Counties have stated that they intend to remedy the deficiency.
- Wilkes County, initially submitted an appeal, but prior to the State Board meeting, retracted the appeal and submitted a letter stating that they intend to remedy the deficiency.
- Montgomery County is appealing to the State Board of Education due to an extraordinary circumstance.

Recommendations:

It is recommended that the State Board of Education do not approve the appeal from Montgomery County.

Discussion/Comments:

- Prior to discussing this item, Chairman Cobey noted that, by consensus yesterday, this item was moved to Action on First Reading without objection.

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- Board member Tate made a second with a clarification that the Board is only voting on Montgomery County Schools' appeal since the other three districts intend to remedy their situations.
- There was no further discussion.

Upon motion by Mr. Gregory Alcorn, and seconded by Mr. John Tate, the State Board of Education voted unanimously NOT to approve the appeals request from Montgomery County Schools. (See Attachment TCS 3)

This item is presented for Action on First Reading. (See Attachment TCS 3)

Prior to recognizing LFI Committee Chair Rebecca Taylor to manage the LFI Committee Report, Chairman Cobey addressed LFI 1, which was removed from the Committee agenda.

Chairman Cobey explained that during the LFI Committee meeting on Wednesday, LFI 1 – Initiate Revocation of the Charter for the Children's Village Academy was removed from the agenda. In consultation with the Committee Chair and staff members, the Board Chairman directed the legal, finance and charter school staff to meet and discuss the status of Children's Village Academy with representatives from the school. Staff will come back to the LFI Committee in June with a recommendation as to how to proceed.

LEADERSHIP AND INNOVATION COMMITTEE (Ms. Rebecca Taylor, Chair; Mr. Reginald Kenan, Vice Chair)

ACTION ON FIRST READING

LFI 1 – Initiate Revocation of the Charter for The Children's Village Academy

Policy Implications: General Statute § 115C-238.29G; SBE Policy # TCS-U-006; and Section 24 of the signed Charter Agreement

Presenter(s): Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Ms. Alexis Schauss (Director, Division of School Business) and Dr. Joel Medley (Director, Office of Charter Schools)

Description:

At the March 2013 meeting of the State Board of Education, information was presented to the State Board as New Business regarding the financial situation of three charter schools. One charter school, The Children's Village Academy, has experienced cash flow problems and a significant increase in the school's debts but the student population of the school has recently grown.

The charter school has seen significant growth in the negative, unrestricted General Fund balance in recent years. The trend, from the audited financial statements, indicates that the charter school's finances were trending toward a fund balance; however, as shown by the information below, that trend has been reversed:

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- 2008: (\$91,076)
- 2009: (\$88,246)
- 2010: (\$80,339)
- 2011: (\$142,676)
- 2012: (\$179,172)

The audit for the 2011-12 fiscal year labeled this financial situation as a “Going Concern” for the charter school. The “Going Concern” is due to the charter school’s negative fund balance, decline in assets, and cash flow problems. Below is data for each of those categories:

- Total Net Assets have declined \$108,259 since June 30, 2012, from \$161,513 down to \$57,436.
- Cash flow problems have continued in the current academic year. As of June 30, 2012, the charter school had a bank overdraft of \$25,678.
- The funded Average Daily Membership of The Children’s Village Academy has increased 52 students (33%) from 2009-10 to 2012-13. Rather than improving the overall financial situation of the school, as should be expected, the financial picture has worsened.

G.S. § 115C-238.29G enumerates the reasons that the State Board of Education “may terminate or not renew a charter,” and these reasons are also incorporated into the signed Charter Agreement. The second rationale for termination of a charter is a school’s “failure to meet generally accepted standards of fiscal management.” The increasing negative fund balance, cash flow problems, decline of total net assets, and “Going Concern” finding in the audit are evidence that the charter school is not meeting generally accepted standards of fiscal management.

Recommendations:

It is recommended that the State Board of Education accept the recommendations of the Department of Public Instruction by initiating revocation of the charter for this school.

Discussion/Comments:

- This item was removed from the agenda.

DISCUSSION

LFI 2 – Recommendations for Enrollment Request for New Charter Schools

Policy Implications: General Statute § 115C-238.29D(d); SBE Policy # TCS-U-014

Presenter(s): Mr. Philip Price (Chief Financial Officer, Financial and Business Services), Ms. Alexis Schauss (Director, Division of School Business) and Dr. Joel Medley (Director, Office of Charter Schools)

Description:

In March 2013, the State Board of Education voted to grant final approval for 23 charter applicants to open public schools in August 2013. These applications had been thoroughly reviewed by the Public Charter School Advisory Council, received preliminary approval from the State Board, and completed the planning year.

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Two of those groups, Cabarrus Charter Academy and Langtree Charter Academy, have sent information to the Department requesting to add more students to their enrollments. Both schools are slated to open in August 2013 and are partnering with the same management company -- Charter Schools USA. Both schools are requesting to increase their year one student enrollment numbers by 184 students (from the approved 661 students to 845 students). Each school is scheduled to hold a lottery due to receiving more applications than enrollment openings.

The requested growth is greater than 20% and must be approved by the State Board of Education as per GS § 115C-239.29D(d). There is a standard procedure for this type of enrollment growth request for operating charter schools; however, there is no process in place for a group to request this growth before ever opening to serve students. For the State Board to approve these requests, a charter school must meet six criteria:

- The actual enrollment of the charter school is within ten percent (10%) of its maximum authorized enrollment;
- The charter school has commitments for ninety percent (90%) of the requested maximum growth;
- The board of education of the local school administrative unit in which the charter school is located has had an opportunity to be heard by the State Board of Education on any adverse impact the proposed growth would have on the unit's ability to provide a sound basic education to its students;
- The charter school is not currently identified as low-performing;
- The charter school meets generally accepted standards of fiscal management; and
- It is otherwise appropriate to approve the enrollment growth.

Since neither charter school has opened to serve students, the charter schools have no academic or financial history upon which to base a decision. At this time, the Office of Charter Schools has not yet received an impact statement from either LEA; however, the request was sent on April 23, 2013. The State Board of Education, this year, has established a precedent. The Board considered requests from two recently approved charter schools but voted to not permit them to grow beyond 20% or the figures in their approved charter applications- one charter was in its first year of operation (Cornerstone Charter Academy) and the other charter (The Expedition School) received final approval at the same time as the Cabarrus and Langtree applications. If the State Board of Education approves this growth request, the charter school would be funded for these students through a reduction in ADM from the LEAs. The 184 students could cost Iredell-Statesville Schools an additional \$809,000 while the 184 students could cost Cabarrus County Schools an additional \$804,000. There are also additional amounts that will need to be covered by the State (Central Office and School Building). This request is late in the year meaning that the LEAs have little time to plan for this loss of additional students.

If the State Board decides to approve this request, the Office of Charter Schools recommends that the 21 newly approved charter schools (opening in August 2013) should receive the same opportunity for additional expansion.

Recommendations:

It is recommended that the State Board of Education deny the growth request for Cabarrus Charter Academy and Langtree Charter Academy due to the recent approval of the school's implementation plan (their application) and the lack of a financial or academic record.

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Discussion/Comments:

- LFI Committee Chair Rebecca Taylor noted a thorough discussion of this item during the LFI Committee meeting on Wednesday. Chair Taylor explained that general consensus of the Committee is to allow these schools time to open and prove successful prior to increasing original enrollment.
- There was no further discussion.

This item is presented for Discussion in May and will return for Action during the June State Board of Education meeting. (See Attachment LFI 2)

NEW BUSINESS

Under New Business, LFI Committee Chair Rebecca Taylor shared that on Wednesday the LFI Committee received an update on the North Carolina Virtual Public School from Executive Director Tracy Weeks.

CHAIRMAN'S REMARKS

Announcements

Chairman Cobey noted that a second Orientation and Policy Review Session will be held for Board members on June 5 beginning at 9:00 a.m. prior to the State Board Committee meetings.

He also noted that the State Board will say goodbye to three more advisors in June: Superintendent Advisor Diane Frost, Principal of the Year Advisor Patrice Faison, and Teacher of the Year Advisor Ms. Tyronna Hooker.

Chairman Cobey reminded Board members that they are invited to attend the Teacher of the Year luncheon immediately following this meeting. He publicly thanked Burroughs Wellcome Fund for sponsoring the Teacher of the Year competition and Ms. Ann Goodnight for her support of some of the luncheon preparations.

OLD BUSINESS

No old business was brought before the Board.

NEW BUSINESS

No new business was brought before the Board.

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ADJOURNMENT

Indicating no other business, Chairman Cobey requested a motion to adjourn. Upon motion by Mr. John Tate, and seconded by Dr. Olivia Oxendine, Board members voted unanimously to adjourn the May 1-2, 2013, meeting of the State Board of Education.